

PARKS & RECREATION MINUTES
TUESDAY, MAY 8, 2012
6:15 P.M.

The Parks and Recreation Board met on the above date and time in the Council Chambers, 270 W. 15th Street.

President Sue Otte called the meeting to order. Members present were: James Zachery, Paul Barada Sr., Aaron Gurley and Dave Malson. Will St. John was absent.

Also present was Parks Director Danny Mathews, Police Chief Craig Tucker, Police Officer Cale Worley, Attorney Tracy Newhouse, Pool Manager Rita Kaster and Ball League President Pete McCorkle.

Approval of Minutes: Barada moved to approve April 10th minutes as presented. Malson seconded motion. Motion carried. Minutes approved.

Claims Approval: Reviewed prior to meeting by Zachery and Gurley. Gurley moved to approve the claims for the month. Zachery seconded. Motion carried. Claims approved.

Parks Director's Report: Mathews reported the pool is up and ready to go. Everything is looking good.

Reports from Other Committees and Boards:

Dare Officer Cale Worley was present and asked the Parks Board to consider letting him use the swimming pool this summer for his Dare graduates. He would like to use it on a Saturday from 12:00 noon or 4:00 p.m. Just a one day pass. He had around 250 kids graduate but probably only 50 – 75 kids will show up to swim. Barada moved to allow Dare Officer Cale Worley to use the swimming pool for his graduates. Gurley seconded the motion. Motion carried.

Rita Kaster – Swimming Pool Update/Employees – Pool Manager Rita Kaster stated:

- *She plans to open the pool on Wednesday, May 30th.

- *Has three pool parties booked at this time.

- *The phone is up and running.

- *Still waiting on Tonya Campbell to get back with her for water aerobics.

- *Will offer swim lessons the end of July.

- *Will have their first work day may 19th at 9:00 a.m. to get everything clean and ready to go.

- *Has hired 20 employees of which 6 has had CPR training. Some are at the hospital getting their training tonight.

- *Has several of them working on their lifeguard certification.

- *Has hired Gina Dyer as her Assistant Manager.

- *Looking forward to a great summer.

- *Will close the pool June 3rd for Graduation.

- *Pool will be open 7 days a week.

- *Will close at 4:00 p.m. during fair week. No parties that week.

- *Will close for season the 1st Friday in August which is August 3rd.

Malson asked if she could extend pool operation till August 10th with shorter hours and close at 4:00 instead of 6:00.

- *Monday through Saturday's pool opens at noon.

- *Opens at 1:00 on Sunday's and closes at 6:00 p.m. other than fair week which is 4:00 p.m.

Malson moved to open the pool August 5th through the 10th with shorter days and to reduce the ticket price that week as an incentive. Barada seconded to motion. Motion carried.

Children tickets will go from \$3.00 to \$1.50 a day the week of August 5th through 10th.

Adult tickets will go from \$4.00 to \$2.00 a day the week of August 5th through 10th.

Kaster then presented her list of employees for approval:

Her Assistant Manager will be Gina Dyer.

Front Counter and Lifeguards - Rachel Beavers, Michael Teague, Joe Daubenspec, Clayton Foster, Brittany Wilson, Cari Carter, Jana Green, Zach Barton, Jacob Fowler, Abby Clark, Hanah Bates, Lucy Dyer, Haley Rains, Nick Zepeda, Lexis Kirkham, Beka Miller, Hanah Kaster, Mikayla Morow, Natalie Kopf, Leah Connolly, McKensie Mohler.

Josh Bostic will be the sub.

Several of these guards are pending life guard certification.

Malson moved to approve the list of employees subject to Lifeguard and CPR training. Zachery seconded the motion. Motion carried.

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James Zachery – Report on Partners for a Healthy Rush County – Zachery stated this group is no longer called Partners for a Healthy Rush County they are now called Fitness Incentive Team (FIT). They are working on walks. They have a lot of good ideas to get people out to exercise.

Craig Tucker – Tucker stated he was here in hopes of working with the Park Board to move forward in removing someone from the Parks.

It has come to his attention that there is some confusion regarding the ejection process utilized by the City of Rushville to maintain the sanctity of its park system. Specifically, it has been called to question who has the authority to let a trespass warning placed on an individual(s) for breaking park rules. Prior to the start of my career, a program was implemented where Rushville Police Officers were granted the authority to remove rule-breakers from the City Parks under the penalty of arrest for trespass if they returned prior to a set date. A form was created that is still in use today to document the offense. A law case is also generated at the Rushville Police Department that is completed by the responding officer(s). The original form was only valid for one day. However, it has always been standard practice to remove someone who had caused damage to the facilities pending the outcome of criminal proceedings.

At the Parks Board meeting held on March 13th, 2012, a list of rules and regulations were introduced in conjunction with discussion about the Parks Patrol. Within the body of this text is a passage pertaining to park ejections and trespass warnings. To paraphrase, it states: Any subject ejected from the park must leave the property at the time of ejection. Ejection from the parks will include the subject being prohibited from entering the Waggoner Community Pool. The subject may challenge the ejection by attending the next scheduled Parks Board meeting where they may give reasons that this ejection should be lifted. After hearing the facts of the case, the Parks Board can vote to continue or lift the ejection and allow the named person to return to the parks (and pool).

Therefore, the Rushville Police Department wishes for the Parks Board to be the authority for determining who may return to the parks after an ejection. At the time of ejection, we are acting as your agent and an agent of the City since neither entity can be present. We, the Police Department, do not want the responsibility of reinstating park privileges or determining sanctions. We lack the time and intimate knowledge of the parks system and Parks Board possesses.

I would strongly recommend that the statement indicating the Parks Board has discretion to dictate the terms of an individual's return to the park system be added to the rules and regulations. For example, if someone damages park property, a condition of that person being allowed back to the park should probably include them paying restitution for the damage caused or volunteering to work in the park for a number of hours equivalent to the dollar amount of the damage (Ex. \$160.00 in damage = 20 hours of work paid at \$8.00 per hour). If this can be established, the Parks Board can handle these incidents in a civil manner and not have to wait for formal resolutions through the criminal court system which would take an excessive amount of time. The likelihood of receiving restitution through informal sanctions imposed by the Parks Board in a timely manner is much greater than receiving restitution through the criminal court system. And, court-ordered community service in the park system is not something that has been prevalent in the past.

It should also be noted that the vast majority of violators we deal with in the parks are juveniles. Handling issues at the Parks Board level through informal sanctioning could also keep these kids from entering the criminal justice system as offenders. The Rush County probation Department is willing to explore the possibility of volunteer work in the parks system as a pre-trial diversion offer. However, it would still be quicker if the offender was brought before the Parks board and the board made the determination of sanctions.

The drawback to this approach is that any collaboration between any City of Rushville entity and the violator would constitute a civil contract which would remove the matter from criminal court. Therefore, it would be my recommendation that all assigned sanctions be completed to the satisfaction of the Parks Director prior to the individual being allowed back into the park system. If the work is not completed, then the violator remains banned from the parks and is subject to arrest for trespass if caught there.

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Implementing these changes or changes similar in nature would go a long way to help the Rushville Police Department and Rushville Parks Department achieve the goal of making the park system safe and clean for everyone and conducive to family activities. We have lacked accountability for those who cannot abide by the rules. The result is vandalism, graffiti, profanity, and fear on the part of residents while in our park system. My hope is that if violators are held accountable for their actions and are forced to make restitution for their inappropriate behaviors, perhaps they will develop a similar vested interest in the park system. Barada said he feels the violators should spend time in the park making improvements rather than forking over \$8.00.

Zachery stated he agrees with service as it's too easy for mom and dad to pay and he would like to see a disciplinary outline. Tucker stated there is a disciplinary outline in the ordinance. Barada suggested we go through this season and see how it goes.

Tucker agreed and they are just trying to make the parks a safer environment.

Unfinished Business:

Pete McCorkle – Girls Softball League Parking Request – Zachery stated there seems to be some concerns with the poles that have been delivered and the blocking off of some streets. A diagram of the area was drawn on the chalk board.

Jeff Slaton was present and stated he feels those poles are too short and feels there is a concern with people hitting them.

Tucker stated we have to abide by ADA compliance as well.

Slaton stated if you cut off certain roads, where grandparent's park, we will lose grandparents coming and that's how we get our money.

Slaton stated there is one speed bump there now and suggested putting another speed bump there or suggested a 10 mile an hour speed limit.

McCorkle discussed parking issues. He stated the posts will be inside the gravel parking area. He would like for cars to come off of Ivy Street to park.

Malson made a motion for Mathews, the three ball leagues and Police Chief get together and work out a viable solution and report back with a drawing. He suggested having a Special meeting to discuss this.

Tucker asked for a list of dates of games and league contact names.

Mathews, Chief Tucker, Pete McCorkle, Ryan Berkemeier and Ruby Welter will meet and a Special Meeting will be called.

Aaron Gurley – Discuss Parks Patrol – Tucker was present in Gurley's absence since he had to leave the meeting early. Malson commended Tucker and Gurley on putting together the Parks Patrol Program.

Tucker stated they will have their first meeting Sunday from 6:00 to 8:00 p.m.

They have ten (10) volunteers now. Each volunteer has to complete 10 hours of training the month of May. They seem to be very good people. They have their training manuals and will get their certificates. They are even giving them a one and half hour program on Autism.

This will be up and running in three weeks. Things are moving forward.

After they get their training, shirts and I.D.'s, they will be set up.

Tucker stated that Gurley will have to talk about the Sunken Garden next month but at this time it has not been filled in.

Flow Chart – Use of Shelters – Otte, St. John and the Mayor have met to discuss the use of shelters. Otte created a flow chart which will be more specific in the way decisions are made. Most rental decisions will fall in the hands of the Parks Director to decide. (Flow Chart Attached).

Barada commended Otte on a job well done.

New Business:

Items not known in advance: Tucker stated he received a complaint via email in reference to metal detecting. Tucker stated we have signs posted in our parks prohibiting this.

Sharpe reported that years ago, we used to allow metal detectors in our parks but someone didn't cover a hole after digging and then another patron of the park fell in hole and sued the City. For liability purposes the City ended metal detecting in the parks.

After further discussion the board felt this is not something we want done in our parks.

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There being no further business, Barada moved to adjourn. Malson seconded motion. Meeting adjourned at 7:25 P.M.

SUE OTTE, PRESIDENT

PAUL BARADA SR. VICE PRESIDENT

DAVE MALSON, MEMBER

WILL ST. JOHN, MEMBER

AARON GURLEY, MEMBER

JAMES ZACHERY, MEMBER

ATTEST:

CARLA SHARPE, SECRETARY